

ORDINANCE NO. 2025-04

AN EMERGENCY ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF COYLE, OKLAHOMA, PROVIDING FOR THE ADOPTION OF CHAPTER 1: ADMINISTRATION AND GOVERNMENT, ARTICLE 8, TOWN RECORDS; PROVIDING FOR THE ESTABLISHMENT OF STANDARDS AND REQUIREMENTS OF TOWN OFFICIALS REGARDING TOWN RECORDS OPEN FOR PUBLIC INSPECTION; REPEALER; SAVINGS; SEVERABILITY; CODIFICATION AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF COYLE, OKLAHOMA

Section I: That the Coyle Municipal Code is hereby amended by the addition of a new Chapter 1, Article 8 and to read as follows:

Chapter 1: ADMINISTRATION AND GOVERNMENT

ARTICLE 8

TOWN RECORDS

SECTION 1-801	APPOINTMENT OF OFFICIAL CUSTODIANS
SECTION 1-802	DESIGNATION OF ADDITIONAL RECORD CUSTODIANS
SECTION 1-803	DUTIES OF CUSTODIANS
SECTION 1-804	REQUESTS TO BE DIRECTED TO CUSTODIANS
SECTION 1-805	PROCEDURES REGARDING BOTH INSPECTION AND COPYING OF OPEN PUBLIC RECORDS
SECTION 1-806	PROCEDURES REGARDING INSPECTION OF OPEN PUBLIC RECORDS
SECTION 1-807	PROCEDURES REGARDING COPIES OF OPEN PUBLIC RECORDS
SECTION 1-808	NO FEE FOR INSPECTION
SECTION 1-809	COPYING FEE
SECTION 1-810	FEE FOR MECHANICAL REPRODUCTION
SECTION 1-811	SEARCH FEE
SECTION 1-812	PREPAYMENT OF FEES
SECTION 1-813	FEES
SECTION 1-814	DESTRUCTION OF PUBLIC RECORDS; SCANNING AND STORING PUBLIC RECORDS

ARTICLE 8

TOWN RECORDS

SECTION 1-801 APPOINTMENT OF OFFICIAL CUSTODIANS.

The following town officials are hereby appointed as official custodians for purposes of the Oklahoma Open Records Act and are charged with responsibility for compliance with that act with respect to the following listed public records:

1. Town clerk-treasurer. All public records kept and maintained in the town and court clerk's office and all other public records not provided for elsewhere in this chapter;

2. Reserved;

3. Chief of police. All public records not on file in the office of the town clerk-treasurer and kept and maintained in the town police department;

4. Fire chief. All public records not on file in the office of the town clerk-treasurer and kept and maintained in the town fire department;

5. Town attorney. All public records not on file in the office of the town clerk-treasurer and kept and maintained in the town attorney's office;

6. Court clerk. All public records not on file in the office of the town clerk-treasurer and kept and maintained in the municipal court.

State Law Reference: Open Records Act, 51 O.S. §§ 24A.1 to 24A.18.

SECTION 1-802 DESIGNATION OF ADDITIONAL RECORD CUSTODIANS.

A. Each of the official custodians appointed in Section 1-601 of this code is hereby authorized to designate any subordinate officers or employees to serve as record custodian. The record custodians shall have such duties and powers as are set out in the Oklahoma Open Records Act.

B. Whenever an official custodian shall appoint another person as a record custodian, he or she shall notify the town clerk-treasurer of such designation and the town clerk-treasurer shall maintain a register of all such designations.

SECTION 1-803 DUTIES OF CUSTODIANS.

All town officials and employees appointed or designated under this chapter shall: protect public records from damage and disorganization; prevent excessive disruption of the essential functions of the town; provide assistance and information upon request; ensure efficient and timely action and response to all applications for inspection of public records; and shall carry out the procedures adopted by this town for inspecting and copying open public records.

SECTION 1-804 REQUESTS TO BE DIRECTED TO CUSTODIANS.

A. All members of the public, seeking access to, or copies of, a public record in accordance with the provisions of the Oklahoma Open Records Act, shall address their requests to the custodian charged with responsibility for maintenance of the record sought to be inspected or copied.

B. Whenever any town official or employee appointed or designated as a custodian under this chapter is presented with a request for access to, or copy of, a public record which record the custodian does not have in his possession and which he has not been given responsibility to keep and maintain, the custodian shall so advise the person requesting the record. The person making the request shall be informed as to which custodian the request should be addressed to, if such is known by the custodian receiving the request.

SECTION 1-805 PROCEDURES REGARDING BOTH INSPECTION AND COPYING OF OPEN PUBLIC RECORDS.

The following procedures are hereby adopted and shall be applied by each official custodian and record custodian:

1. Consistent with the policy, duties and procedures established by the Oklahoma Open Records Act, record custodians shall provide full access and assistance in a timely and efficient manner to persons who request access to open public records;

2. Record custodians shall protect the integrity and organization of public records with respect to the manner in which such records are inspected and copied;

3. Record custodians may prevent excessive disruptions of essential functions and provide the record at the earliest possible time;

4. All inspections and copying of open public records shall be performed by, or under the supervision of, the record custodian responsible for such records;

5. All persons requesting the inspection of or a copy of open public records shall make such request in writing prior to the request being honored, except that no form shall be required for requests made for records which have been reproduced for free public distribution;

6. All record inspection and copying forms are to be completed by the person requesting the record. The record custodian may demand reasonable identification of any person requesting a record;

7. Any fees for record inspection or for copies are due at the time the records, or copies thereof, are provided to the requester, unless the record custodian has demanded that prepayment of all or part of such fees be made. Fees are to be paid to the record custodian or Town clerk-treasurer;

8. The record custodian or town clerk-treasurer shall demand full or partial prepayment of the fees when the estimate for such fees exceeds the amount set out in Section 1-812 of this code;

9. No record search or copying charge shall be assessed against officers or employees of the town who make requests which are reasonably necessary to the performance of their official duties;

10. Hours for making requests for inspection or copying shall be all regular working hours for each day the office maintains regular office hours;

11. Removal of open public records from the office where kept and maintained, for purposes of inspection or the making of copies, shall not be permitted; and

12. The above procedures, as well as any other inspection and copying procedures, shall be posted in a conspicuous place in the office of the record custodian.

SECTION 1-806 PROCEDURES REGARDING INSPECTION OF OPEN PUBLIC RECORDS.

The following procedures are hereby adopted and shall be applied by every official custodian and record custodian:

1. Record custodians shall handle all inspection requests in accordance with their duties to protect and preserve public records and to assist persons requesting inspection of open public records.

2. All request forms must be completed by the party requesting the record. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the record custodian and presented to the record custodian;

3. A written request is sufficient if it reasonably describes the record sought. In instances where the requester cannot provide sufficient information to identify a record, the custodian shall assist in making such identification; and

4. The record custodian shall, upon making a denial of an inspection request, forward a copy of the denial to the mayor.

SECTION 1-807 PROCEDURES REGARDING COPIES OF OPEN PUBLIC RECORDS.

The following procedures are hereby adopted and shall be applied by each official custodian and record custodian:

1. Record custodians shall handle all copy requests in accordance with their duties to protect and preserve public records and to assist persons requesting copies of open public records;

2. All request forms must be completed by the party requesting the copies. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the record custodians;

3. Mechanical reproduction of a record shall not be undertaken when it is the judgment of the record custodian that any available means of mechanical reproducing the subject record is likely to cause damage to such record; and

4. No copy fee shall be assessed when multiple copies of the record requested have been prepared for free public distribution, or when the record custodian determines that the cost of charging and handling the fee exceeds the cost of providing a copy without charge.

SECTION 1-808 NO FEE FOR INSPECTION.

Where a request has been made for the inspection of an open public record, no fee shall be charged.

SECTION 1-809 COPYING FEE.

A fee per page as set by Fee Schedule shall be charged for photocopying an open public record, such fee to cover the cost of labor, materials and equipment.

SECTION 1-810 FEE FOR MECHANICAL REPRODUCTION.

For copying any open public record which cannot be reproduced by photocopying, such as a computer printout or a blueprint, the requester shall be charged the actual cost to the town, including the cost of labor, materials and equipment.

SECTION 1-811 SEARCH FEE.

The fee provided in Fee Schedule shall be charged a requester who is using the record solely for a commercial purpose. Such fee shall be charged to recover the direct cost of document search.

SECTION 1-812 PREPAYMENT OF FEES.

A record custodian may demand prepayment of a fee. The prepayment amount shall be an estimate of the cost of copying, mechanical reproduction or searching for the record. Any overage or underage in the prepayment amount shall be settled prior to producing the requested record or delivering the copy or mechanical reproduction of the record.

SECTION 1-813 FEES.

Fees shall be charged for copies and services rendered hereunder pursuant to the town's fee schedule.

SECTION 1-814 DESTRUCTION OF PUBLIC RECORDS; SCANNING AND STORING
PUBLIC RECORDS

A. Purpose. The purpose of this section is to provide for the retention, digital storage and/or destruction of public records in accordance with state law and this section.

B. The Town Board hereby authorizes the legal custodian, with the written approval from the Mayor, to destroy, sell for salvage or otherwise dispose of the following papers, documents and records after the expiration of the specified period of time following the end of the fiscal year in which the paper, document or record was created, except as otherwise specified:

1. One (1) year: parking citations may be destroyed or otherwise permanently disposed of one (1) year after the date of issuances;

2 Two (2) years: municipal court warrants, water, sewer, garbage and utility receipts and statements, which have been previously audited; inspection records relating to water meters and sewer inspections; miscellaneous petitions and letters addressed to the governing body on matters other than pertaining to the items hereinafter set forth; utility billing ledger or register; utility cash receipts ledger or register; and utility accounts receivable ledger or register. Fire run contracts may be destroyed or otherwise disposed of two (2) years after their expiration;

3. Five (5) years: successful and unsuccessful bids for the purchase or furnishing of equipment, material and improvements; inspection records except as provided for in paragraph 2 of this section; claims that have been denied; license applications; bonds; special, primary and general election payrolls; election tabulations and returns; withholding statements; garnishment records; traffic tickets and receipts; bond receipts and fine receipts; information and complaints; court dockets; paid general obligation and revenue bonds; paid street improvement, sewer and sidewalk district bonds; warrants; claims; checks; vouchers; purchase orders; payrolls;

4. Ten (10) years: inventories; appropriation ledgers; sidewalk assessment records, except payment records; cash receipt book or register for the general fund, the street and alley fund, any bond fund or sinking fund and all other trust funds that have been audited; and

C. Fifteen (15) years: sewer and improvement district records, except payment records.

D. No records pertaining to pending litigation shall be disposed of until such litigation is finally terminated.

E. Other Records. Public records not addressed in Subsection B or C hereinabove, or otherwise addressed in the Record Retention Policy which is on file in the Office of the Town Clerk-Treasurer dated April 2015, may be destroyed by their legal custodian, with written approval from the Mayor, seven (7) years after their creation.

F. Retention of Public Records. Except as otherwise provided in Subsection F, all public records shall be retained for the time periods provided by Subsections B, C and D and may thereafter be scanned as digital files and stored, either on and/or off site, and/or destroyed by their legal custodian, with written authorization from the Mayor. This procedure shall apply to all files of the Town and its public trust authorities. Notwithstanding the foregoing, the following public records shall be held in perpetuity: deeds, records bearing signatures of historical persons or other public records of historic or legal significance, Town and authority meeting minutes, and testing laboratory results or the inspection records of public improvements.

G. Scanning and Storing of Public Records. Any public records may be scanned as digital files and stored, either on or off site, as determined appropriate by their legal custodian, with written approval from the Mayor. The method of reproduction shall be durable and safely preserve the public record and shall accurately reproduce and perpetuate the original public record in all details. All public records which are scanned and stored shall be placed in conveniently accessible files and provision made for preserving, examining and using the same. Whenever public records are scanned and stored, a certification of these facts shall be furnished to the Town Board or other governing body, as appropriate, and thereafter the original public records and papers may be disposed of, destroyed or archived in permanent storage prior to the expiration of the retention periods established by this section on as provided by law.

Section II. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section III. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

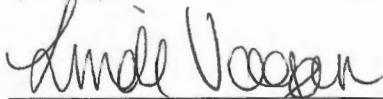
Section IV. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the Board of Trustees of the Town of Coyle that is section of the Coyle Municipal Code would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

Section V. CODIFICATION. This ordinance shall be codified as part of the Coyle Municipal Code.

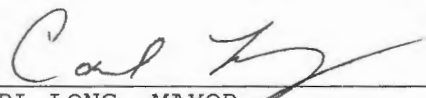
Section VI. EMERGENCY. WHEREAS, it is being immediately necessary for the preservation of the peace, health, safety and public good of the Town, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force and in effect from and after its passage, approval and publication.

PASSED, APPROVED AND ADOPTED THIS 15th day of July, 2025.





LINDE VOGAN, TOWN CLERK
TOWN OF COYLE, OKLAHOMA



CARL LONG, MAYOR
TOWN OF COYLE, OKLAHOMA